

C 31. (Amended) A method as recited in claim 29, wherein said first and second plates are connected at said edge regions by a connection selected from at least one of the group consisting of a positive connection and a non-positive connection.

36. (Amended) A method as in recited in claim 29, including the steps of applying additional insulating material onto at least regions of said first plate and the previously compacted insulating material and compacting said additional insulating material.

37. (Amended) A method as recited in claim 29, further comprising removing said insulating material that is not compacted.

42. (Amended) A method as recited in claim 29, wherein an inorganic binding material is applied to said first plate prior to providing said insulating material.

REMARKS

I. Introduction

Claims 29-59 are pending in this application. With this amendment, Applicants have amended claims 31, 36, 37 and 42. No new matter has been added. Claims 31, 36, 37 and 42 have been amended to improve readability, change dependence, or correct obvious typographical errors.

By action taken here, Applicants in no way intend to surrender any range of equivalents beyond that needed to patentably distinguish the claimed invention as a whole over the prior art. Applicants expressly reserve all such equivalents that may fall in the range between Applicants' literal claim recitations and combinations taught or suggested by the prior art.

II. Rejection of claims 29-39, 42, 44-52 and 56-59 under 35 U.S.C. § 102 (b)

Claims 29-39, 42, 44-52 and 56-59 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 5,316,819 to Sextl et al. ("Sextl"). The Applicants respectfully traverse this rejection.

As seen in claims 29 and 49, the heat shield of this invention includes two plates, each of which is at least partially plastically deformable. This feature is not disclosed by Sextl. In particular, Sextl discloses a shaped article fabricated from two plates which have a defined shape, unlike the heat shield of the present invention, which is plastically deformable. Sextl refers to the disclosed heat shield only as a shaped article into which the insulation material is incorporated. Sextl describes one plate as a deep-drawn concave casing (Col. 9, line 7) and the other as a planar cover (Col. 3, lines 15-16), thus suggesting that the two plates of Sextl are not plastically deformable. Thus, Sextl does not disclose every element of the claimed invention. Furthermore, Sextl does not suggest that a heat shield made of a plastically deformable material would be advantageous. For at least these reasons, the Applicants respectfully request that this rejection be withdrawn.

III. Rejection of claims 29, 40, 41, 43, 52-55, 58 and 59 under 35 U.S.C. § 102 (b)

Claims 29, 40, 41, 43, 52-55, 58 and 59 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 3,031,358 to Rutter et al. ("Rutter"). The Applicants respectfully traverse this rejection.

As seen in claims 29 and 49, the heat shield of this invention includes two plates, each of which is at least partially plastically deformable. This feature is not disclosed by Rutter. In particular, Rutter discloses a heat shield which encloses a filler between two layers in which one layer is corrugated with a series of grooves. (Col. 2, lines 39-42). These corrugations provide points at which the layer can bend, thus making the heat shield flexible. Rutter does not disclose flexible heat shields in the absence of corrugations. Thus, Rutter does not disclose every element of the claimed invention. Furthermore, Rutter does not suggest that a two layer heat shield, which is plastically deformable, may be made in the absence of corrugations. For at least this reason, the Applicants respectfully request that this rejection be withdrawn.

Claims 29, 40, 41, 43, 52-55, 58 and 59 were rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 3,003,902 to McDuff ("McDuff"). The Applicants respectfully traverse this rejection.


As seen in claims 29 and 49, the heat shield of this invention includes two plates, each of which is at least partially plastically deformable. This feature is not disclosed by McDuff.

In particular, McDuff discloses a heat shield which encloses a filler between two layers in which both layers are corrugated with a series of grooves. (Figures 4 and 5). These corrugations provide points at which the layer can bend, thus making the heat shield flexible. McDuff does not disclose flexible heat shields in the absence of corrugations. Thus, McDuff does not disclose every element of the claimed invention. Furthermore, McDuff does not suggest that a two layer heat shield, which is plastically deformable, may be made in the absence of corrugations. For at least this reason, the Applicants respectfully request that this rejection be withdrawn.

IV. Conclusion

For the above stated reasons, the Applicants respectfully submit that the application is now in a position for allowance. It is believed that any additional fees due with respect to this paper have already been identified in any transmittal accompanying this paper. However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge account number 18-0013 in the name of Rader, Fishman and Grauer PLLC.

Respectfully submitted,



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MARKED UP COPY OF AMENDED CLAIM

31. (Amended) A method as recited in claim 29, wherein said first and second plates are connected at said edge [end] regions by a connection selected from at least one of the group consisting of a positive connection and a non-positive connection.

36. (Amended) A method as in recited in claim 29, including the steps [step] of applying additional insulating material onto at least regions of said first plate and the previously compacted insulating material[;] and compacting said additional insulating material

37. (Amended) A method as recited in claim 29, further comprising removing [wherein] said insulating material that is not compacted [is removed].

42. (Amended) A method as recited in claim 29 [39], wherein an inorganic binding material is applied to said first plate prior to providing said insulating material.

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